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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

GEOFF WILLIAMSON and RON BALLARD,  
individually, and on behalf of a class of similarly  
situated individuals,

Plaintiffs,

v.

THE REINALT-THOMAS CORPORATION, a  
Michigan corporation; DISCOUNT TIRE CO., an  
Arizona corporation; and DOES 1 to 10 inclusive,

Defendants.

CASE NO.: 5:11-CV-03548-LHK

**JOINT STIPULATION TO  
CONTINUE CERTAIN  
PRETRIAL DATES IN LIGHT  
OF PENDING MOTION TO  
DISMISS FOR LACK  
OF JURISDICTION;  
~~PROPOSED~~ ORDER  
THEREON  
AS AMENDED**

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Pursuant to Rules 6-1(a) and 16-2(e) of the Local Rules of the Northern District of California, Plaintiffs Geoff Williamson and Ron Ballard (collectively, "**Plaintiffs**"), and Defendants The Reinalt-Thomas Corporation and Discount Tire Co., Inc. (collectively, "**Defendants**"), by and through their attorneys of record, hereby stipulate to continue the following dates in this matter for the following reasons:

WHEREAS, Plaintiffs filed their complaint in this matter on July 19, 2011, and in response Defendants filed a Motion to Dismiss for Lack of Personal Jurisdiction under Rule 12(b)(2), which motion is scheduled to be heard on February 2, 2012, and due to that pending motion, Defendants are concerned that any actions taken to litigate in this Court may affect their jurisdictional challenges or be perceived to waive those alleged defects;

WHEREAS, Plaintiffs' Opposition to Defendants' Motion is due on October 14, 2011;

WHEREAS, pursuant to Local Rule 16-8 and ADR Rule 3-5, the parties are required to complete an ADR Certification or Stipulation Selecting an ADR Process and the Clerk recently served a Notice of Non-Compliance with those ADR rules on October 3, 2011;

WHEREAS, the Court has set an Initial Case Management Conference for October 19, 2011, and the parties are required to meet and confer and then to file a Joint Case Management Conference Statement by October 12, 2011; and

WHEREAS, the parties also are required to comply with Fed. R. Civ. Proc., Rule 26(f) and to make certain initial disclosures in this matter (with the exception of certain jurisdictional discovery which may be required in connection with Defendants' motion).

In light of Defendants' pending motion and their jurisdictional challenges, the parties request the Court to continue all pretrial dates in this matter until after that motion has been determined, as it is premature to devote time to these matters in light of Defendants' jurisdictional challenges and may adversely impact those claims.

This Stipulation is not for purpose of delay. Rather, for convenience of the parties and this court, and to promote efficiency, it makes sense to continue these pretrial dates until after the court's hearing of Defendants' motion to dismiss. The court's determination of

1 Defendants' motion to dismiss will affect the management of this case and may dispose of this  
2 action in its entirety.

3  
4 IT IS SO STIPULATED AND AGREED.

5  
6 Date: October 4, 2011

CAPOBIANCO LAW OFFICES, P.C.

7  
8 By: 

Anthony Capobianco  
Attorneys for Plaintiffs

9  
10  
11 Date: October 4, 2011

BAKER BOTTS, LLP

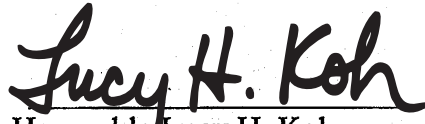
12  
13 By: 

Van H. Beckwith  
Bryant C. Boren  
Attorneys for Defendants

14  
15 The case management conference set for October 19, 2011 is RESET to February 2, 2012 following the  
16 hearing on the Motion to Dismiss.

17 IT IS SO ORDERED

18  
19 DATED: October 11, 2011

  
Honorable Lucy H. Koh  
Judge of the U.S. District Court